

**Probation Committee
Judicial Conference of Indiana**

**Minutes
March 2, 2007**

The Probation Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center in Indianapolis, Indiana on March 2, 2007.

1. **Members present.** The following members of the Probation Committee were present: Julie Cantrell, David Chidester, Thomas Felts, Thomas Lett, Becky McClure, Robert Mrzlack, Steve Nation, and Mark Stoner, chair.
2. **Staff present.** Jenny Bauer and Michelle Goodman provided staff assistance to the Committee.
3. **Approval of minutes.** The minutes from January 19, 2007 were approved.
4. **Probation Administration issues.** Jenny Bauer reported that Jane Seigel asked her to bring a few administrative issues to the committee's attention. The first issue involved language in the Minimum Salary Schedule for Probation Officers. A county called the Judicial Center recently asking if the section stating "departments shall not reduce the salaries of probation officers who are paid above the minimum salary schedule" allowed for the supervisory bonus pay to be deleted from a former chief probation officer's salary. The committee discussed the language and decided to add the word "minimum" to "annual salary" in the salary range box. The committee voted to make this change on the 2008 salary schedule. The second issue involved the requirement that probation officers take the certification exam within 6 months from the date the person is first employed as a probation officer. A county was concerned that a person who worked for 4 months as a probation officer in another county would only have 2 months in which to take the exam after being hired. The committee members discussed the language in the standard and agreed that a revision was not necessary. On the third issue, Judge Stoner reported that 3 probation departments have not turned in continuing education compliance reports. The due-date for responding was February 1st. Judge Stoner stated that he would call the supervising judge for each department and request that the compliance reports be submitted to the Judicial Center immediately.
5. **Legislation.** Michelle Goodman reported that the 2007 legislative session has numerous bills regarding sex offenders. She also highlighted SB 78 (interstate compact) and HB 1617 (ignition interlock devices) as bills that the Judicial Center is watching closely.
6. **2007 Annual Meeting for probation officers.** Jenny Bauer reported that the Annual Meeting would be held May 3-4 at the Convention Center in downtown Indianapolis. She stated that a few committee members may be contacted to assist with educational sessions.

7. **Salary Survey Results.** Michelle Goodman reported that 99% of probation departments responded to the salary survey. She believes that some of the results may be skewed because of reporting errors and probation officers being paid below the minimum salaries. Ms. Goodman stated that she would call the counties with questionable numbers to attempt to verify. Judge Stoner stated that the survey results may be useful in the larger discussion of who should fund the courts.
8. **Intrastate Transfer.** Judge Felts distributed several handouts and reported that his subcommittee used the Interstate Compact Rules as a guide to see if any of the provisions would be helpful for intrastate rules. The committee engaged in a lengthy discussion of a draft of procedures submitted by Judge Nation, with input from his probation department. The committee focused on the question of whether a petition to revoke can be filed against the defendant in the supervising county rather than the county where the defendant was originally convicted and sentenced. The committee also discussed whether the sentencing court has sole authority to sentence the defendant in a revocation of probation and whether a defendant's original public defender must represent the defendant at any revocation-related proceedings. The committee agreed to continue to work on this draft and discuss again at the next meeting.
9. **Other business.** Jenny Bauer distributed a newspaper article on Tippecanoe County's efforts to collect DNA samples from convicted felons.
10. **Next meeting.** The next meeting of the Probation Committee is scheduled for April 20, 2007.

Respectfully submitted,

Jenny Bauer
Staff Attorney
Indiana Judicial Center